

UCLA Faculty Association

News and opinion from Dan Mitchell since 2009

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Sunday, April 6, 2025

On the wall or off the wall?



From [Inside Higher Ed](#):

Republican-controlled legislatures in two bordering states, Ohio and Kentucky, have now passed laws requiring post-tenure review policies at public universities and banning diversity, equity and inclusion offices, along with other DEI activities.

Many faculty and some Democratic leaders say the new laws threaten academic freedom and undermine tenure. In Ohio, lawmakers passed the sweeping higher education legislation, which has been in the works for a few years, over protests from faculty and students. The Ohio Student Association, for instance, said the bill would kill higher education in the state. Meanwhile, in Kentucky, Republican lawmakers rushed legislation through the process in order to successfully override their Democratic governor's veto and put their higher education changes into law.

Ohio and Kentucky join Arkansas, Utah and Wyoming this year as states where Republicans have passed laws targeting DEI and/or promoting alternative "intellectual diversity." Even if the Trump administration's ongoing nationwide attacks on DEI founder, these laws lock in restrictions on DEI in these states, preventing institutions from reversing course on diversity program rollbacks. Much of the new laws in Ohio and Kentucky echo the DEI bans that the other states have enacted, but Ohio's legislation goes further than Kentucky's, allowing immediate "for cause post-tenure reviews," banning strikes for a large group of faculty and much more...

Full story at <https://www.insidehighered.com/news/faculty-issues/academic-freedom/2025/04/01/ohio-and-kentucky-ban-dei-reduce-tenure-protections>.

Posted by California Policy Issues at [3:20 AM](#) No comments:

Labels: [diversity](#), [politics](#)

On Getting a Letter



Where is Harvard on the Princeton-versus-Columbia scale? In a previous post, we noted that Princeton and Columbia are in very different positions in terms of vulnerability to federal government pressure. Princeton doesn't have a medical school; Columbia does. Princeton is basically a relatively small but prestigious undergrad college with a grad program tacked on. Columbia is basically a large university that is top-heavy with graduate and professional programs with a college embedded in it. Harvard is closer to Columbia but is smaller in total enrollment.

Columbia undergrads are about one-fourth of total enrollment. Harvard undergrads are also around a fourth. Princeton undergrads are three-fourths. If you are wondering about UC, in a sense it is like Princeton, with almost 8 out of 10 students as undergrads. But, of course, it dwarfs all three of them as a system, with something like 300,000 students in total. UC, as a public system, is potentially subject to what could be conflicting political pressures from the state versus the feds should it receive the kind of letter from the feds that was sent to Columbia and Harvard. As we have noted in earlier posts, in total, about a third of UC's operating budget comes from the feds in the form of research grants, hospital revenues, management fees, etc.

Princeton's endowment is around 11 times the size of its annual operating budget. Harvard's is around 8 times. Columbia's is over twice its operating budget. UC systemwide endowment is a bit over half of it operating budget, but that leaves out campus endowments. Still, even with campus endowments, you couldn't operate UC for a year based on endowment money alone. And as we have noted, endowments are made up of funds that are often earmarked for particular purposes.

Princeton is best equipped to say "no" to the feds (and seems to be doing it), Harvard less so - but we will see, Columbia - we have already seen. As for UC, yours truly suspects that the folks

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- [Federal Investigations of UC Faculty Members](#)
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- [Emergency Day of Action March 19, Noon](#)

Remaking the University

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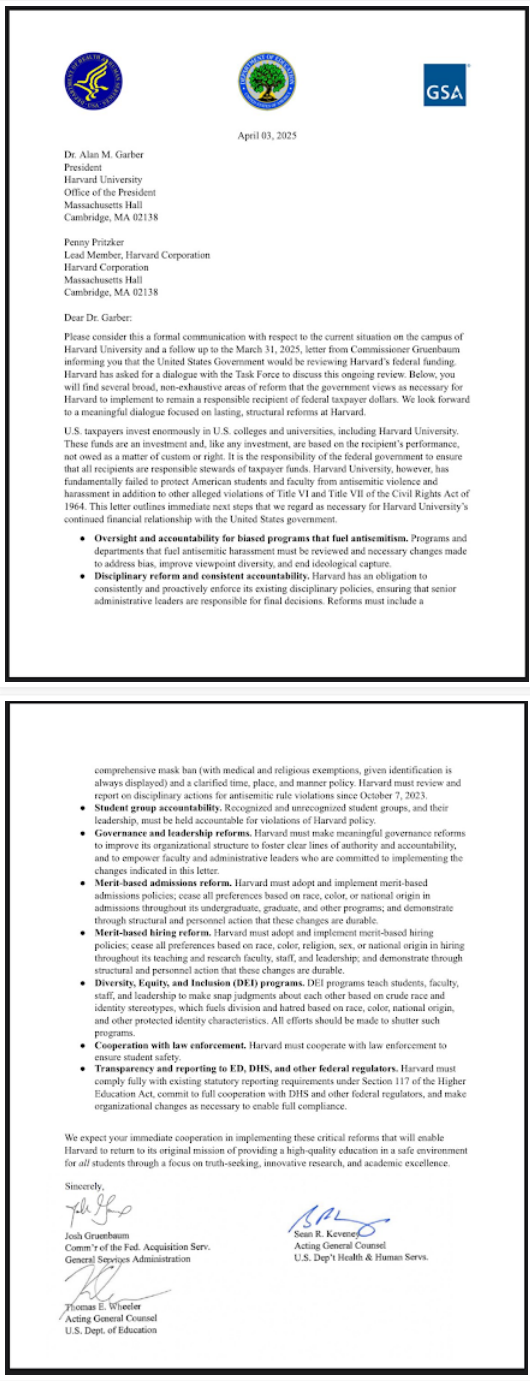
at UC's headquarters in Oakland, and in Murphy Hall at UCLA, are hoping we don't get a letter or letters such as the ones received by the Ivy League schools and have to find out what the Regents would do.

Posted by California Policy Issues at 3:15 AM No comments: 

Labels: Columbia, Harvard, politics, Princeton U, UC, UC Regents, UCLA

Saturday, April 5, 2025

The Harvard Letter from the Feds



Source: <https://x.com/sfmoguire79/status/1908108219798426070>. Also at: <https://ia800402.us.archive.org/9/items/2-final-hjaa-report-the-soil-beneath-the-encampments/Harvard%20Letter%20from%20the%20Feds%204-3-2025.pdf>.

Note: Clicking on the images may clarify the text.

Posted by California Policy Issues at 8:05 AM No comments: 

Labels: diversity, Harvard, politics

Skip the Letter?

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Contributors

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A few days ago, we posted about a law deans' letter concerning issues about Trump administration policy toward some major law firms. One of the signatories was the dean of the UCLA School of Law. One professor there wrote a blog column about why he isn't going to sign a similar letter:*

On not signing most open group letters by my fellow legal academics

by Prof. Stephen Bainbridge

Last week, I signed an open letter to the Delaware legislature by a group of corporate law academics addressing aspects of Delaware SB 21, which was then pending before the Delaware House.

This week, as you may have seen, 80 out of the ~120 Harvard law school faculty signed a [group letter](#) protesting certain Trump administration actions--especially those targeting law firms--as being detrimental to the rule of law.

Predictably, where Harvard leads, the rest of legal education follows. I hear rumors of similar letters in the works at some law schools or among faculty at multiple law schools.

I have been asked to sign some. But I'm not going to do so.

First, however, let me emphasize that I share the signer's concerns about the way the Trump administration is punishing law firms of which the administration disapproves. The use of unilateral executive action is inconsistent with the rule of law. This is true even though I think some of what some of the law firms did to incur Trump's wrath was seriously problematic. In particular, Perkins Coie played a major role in commissioning and disseminating the Steele dossier, which has been widely and effectively discredited. In effect, they committed election fraud. Having said that, I believe Trump should have had the Justice Department investigate to determine if laws were broken rather than unilaterally imposing punishment by executive decree. If the Justice Department concluded laws were broken by the firm, then prosecute the firm. That is how the system is supposed to work. That is how the rule of law is supposed to work.

But I have three reasons for not signing a version of the Harvard letter. First, I share many of the concerns that Harvard law professor Adrian Vermeule identified in [an open letter to his students](#) explaining why he didn't sign the Harvard letter:

- a. "In virtue of its joint signature list, its collective voice, and its claim to portray itself as a consensus statement of those who otherwise disagree, the letter hovers ambiguously between a statement of the faculty as such and a mere aggregation of "individual" views."
- b. "It speaks only to the "fears" of some, not all, of our students, and threatens to inflame the fears of other students."
- c. What signal does it send to students "who support the current President and the legal policies of his administration. What exactly are [they] supposed to think when an overwhelming supermajority of the faculty, although purporting to speak "in their individual capacities," jointly condemn those policies? [They] might be forgiven for wondering if [they] will get a fair shake during [their] time at the law school.

Second, we have just come through a year of massive campus unrest. In response to which, many universities recommitted themselves to the principles announced in the [Kalven Report](#):

The instrument of dissent and criticism is the individual faculty member or the individual student. The university is the home and sponsor of critics; it is not itself the critic. It is, to go back once again to the classic phrase, a community of scholars. To perform its mission in the society, a university must sustain an extraordinary environment of freedom of inquiry and maintain an independence from political fashions, passions, and pressures. A university, if it is to be true to its faith in intellectual inquiry, must embrace, be hospitable to, and encourage the widest diversity of views within its own community. It is a community but only for the limited, albeit great, purposes of teaching and research. It is not a club, it is not a trade association, it is not a lobby.

Since the university is a community only for these limited and distinctive purposes, it is a community which cannot take collective action on the issues of the day without endangering the conditions for its existence and effectiveness. There is no mechanism by which it can reach a collective position without inhibiting that full freedom of dissent on which it thrives. It cannot insist that all of its members favor a given view of social policy; if it takes collective action, therefore, it does so at the

price of censoring any minority who do not agree with the view adopted. In brief, it is a community which cannot resort to majority vote to reach positions on public issues.

The Report thus advocated that, in most cases, there should be "a heavy presumption against the university taking collective action or expressing opinions on the political and social issues of the day, or modifying its corporate activities to foster social or political values, however compelling and appealing they may be." In other words, a norm of institutional neutrality.

Granted, neither the Harvard letter nor the others reportedly circulating purport to speak for the university. Technically, there is no violation of the letter of the principle of institutional neutrality. But surely there is at least a seeming inconsistency between these letters and the spirit of institutional neutrality. As Professor Vemuele observes of the Harvard letter:

In virtue of its joint signature list, its collective voice, and its claim to portray itself as a consensus statement of those who otherwise disagree, the letter hovers ambiguously between a statement of the faculty as such and a mere aggregation of "individual" views.

Finally, and most importantly, as academics, we cultivate specialized knowledge that gives our opinions particular weight within our domains of expertise. When we sign open letters on matters beyond these domains, we risk lending our professional credibility to positions where we lack specialized insight. This practice may inadvertently dilute the value of academic expertise broadly.

Our professional standing results from years of focused study and contribution in specific fields. When we leverage this standing on issues where we possess only general knowledge, we potentially mislead the public about the depth of expert consensus. This creates an ethical tension: should we use the authority granted to us for one purpose to influence discourse in unrelated areas?

This position doesn't require political silence—we remain free to participate as private citizens. Rather, it suggests that our public use of professional credentials should align with the areas where we possess genuine expertise. This approach upholds both intellectual honesty and the distinctive value of academic contribution to public discourse.

So, when it comes to group letters I am going to continue my longstanding policy of sticking to my lane: federal securities and Delaware corporate law.

Source: <https://www.professorbainbridge.com/professorbainbridge.com/2025/03/on-not-signing-most-open-group-letters-by-my-fellow-legal-academics.html>.

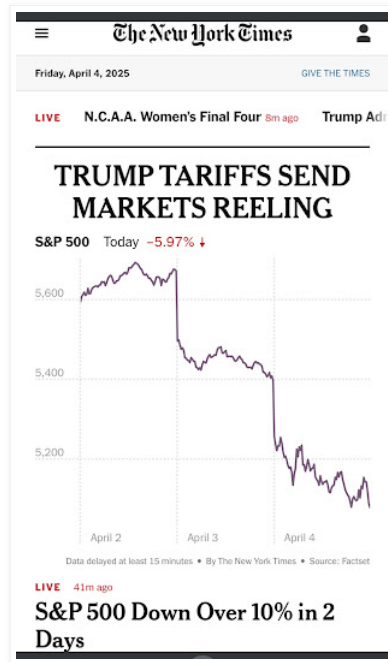
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*<https://uclafacultyassociation.blogspot.com/2025/03/law-deans-letter.html>.

Posted by California Policy Issues at [3:30 AM](#) No comments: 

Labels: [Harvard](#), [politics](#), [UCLA](#)

Period of Adjustment



Do you have a sense that the chart above could do more to "adjust" current political trends affecting UC than all the protests combined? Of course, it's not good news for pension funding. And relying on the stock market for such things is risky. Reversals can occur. But sometimes a reversal is just a *Dead Cat Bounce** and the trend continues.

Dead Cat Bounce



Or direct to <https://www.youtube.com/watch?v=ndG2yv9akE>.

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*In finance, a dead cat bounce is a small, brief recovery in the price of a declining asset. Derived from the idea that "even a dead cat will bounce if it falls from a great height," the phrase is also popularly applied to any case where a subject experiences a brief resurgence during or following a severe decline. This may also be known as a "sucker rally." ...

Source: https://en.wikipedia.org/wiki/Dead_cat_bounce.

Posted by California Policy Issues at 3:25 AM No comments:

Labels: [pension](#), [politics](#), [UC](#)

Tracking the Governor

As blog readers will know, we collect the videos put out by the governor in social media on a quarterly basis. He used to go in for lengthy addresses. But in recent years, except for budget presentations, he puts out short clips instead.



We have diligently collected most of them, along with the long budget proposal of January, for the first quarter of 2025, along with other events - such as the January fires - for your visual enjoyment.

You can find the first quarter at:

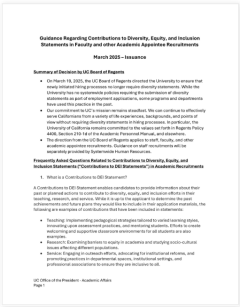
<https://archive.org/details/newsom-1-2-25-new-laws>.

If you are looking for stuff about higher ed, however, you will be disappointed. Except for a brief mention in his January 10th state budget proposal, you won't find much about that sector. Of course, there are a lot of things going on in the state apart from higher education. And the governor, who will be termed out after this term ends, is looking ahead. Notably, he now has a podcast which seems to be premised on trying to prove that - while California is in the bag for Democrats in 2028 - Newsom could win swing states.

Posted by California Policy Issues at 3:20 AM No comments:

Labels: [governor](#), [politics](#), [State Budget](#)

UC Guide on Ending DEI Recruitment Statements



A UC-wide guide concerning the ending of required DEI statements in recruiting was circulated in an email yesterday. It runs eight pages with frequently asked questions.

You can read it at:

https://ia802206.us.archive.org/33/items/ucla_final_congress/UC%20Systemwide%20Guidance%20re%20Contributions%20to%20DEI%20Statements%20in%20Academic%20Recruitments%20-%20Circulated%20at%20UCLA%204-2025.pdf

Posted by California Policy Issues at 3:15 AM No comments:

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